UNITED STATES PATENT AND TRADEMARK OFFICE

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10/697,557	10/31/2003	Theodore Rappaport	02560032BA	8407

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ART UNIT	PAPER NUMBER
2128	

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11/15/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary		Application No.	Applicant(s)
		10/697,557	RAPPAPORT ET AL.
		Examiner	Art Unit
		Akash Saxena	2128

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>22 August 2007</u>.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-55</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-55</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1. Claim(s) 1-55 has/have been presented for examination based on amendment filed on 22nd August 2007.

2. Claim(s) 1, 3, 13, 18, 25, 30, 32, 43, 49, 55 is/are amended.

3. Claim(s) 13-17 remain rejected under 35 USC § 101.

4. Claim(s) 1-31 are newly rejected under 35 USC § 112 ¶1st.

5. Claim(s) 1-31 are newly rejected under 35 USC § 112 ¶2nd.

6. Affidavit and the Terminal Disclaimer filed 9th August 2007 are now processed & entered and examiner withdraws the rejection under 35 USC 102(e) to U.S. Patent No. 7,096,173.

7. Claim(s) 1-55 remain rejected under 35 USC § 103.

8. The arguments submitted by the applicant have been fully considered. Claims 1-55 remain rejected and this action is made FINAL. The examiner's response is as follows.

Claim Rejections - 35 USC § 101 and Response to Applicant's Remarks

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

25-29

9. **Claims 13-17 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.**

Regarding Claim 1-10 and 12

Examiner withdraws the rejection in view of amendment by the applicant, however please see rejection under 35 USC 112¶1st emanating from the amendment.

Regarding Claim 13-17

> Claim 13 discloses, "A machine readable electronic file comprising"... " a site specific
> computerized model ..." and "computerized representations of one or more components...". This
> claim discloses functional descriptive material, which appears *not* to be stored on computer-
> readable medium, although it is claimed as machine-readable. See MPEP 2106.01 [R-5]
> Computer-Related Nonstatutory Subject Matter, ¶1-2.
> Further it is unclear which statutory category the claim is directed towards – i.e. a process claim
> or a product (article of manufacture). The claim seems to neither explicitly recite a product (a
> machine readable electronic file) nor a process (use of a model stored in the file) claim, but rather
> embraces or overlaps two different statutory classes of the invention set forth in 35 U.S.C. 101.

In response applicant's have amended "*for a computer*" which does not cure the

deficiency as this *is intended use* of the and not a positive recitation of the limitations

being executed by the software application. Hence to reiterate, *first*, a machine

readable electronic file is not tangibly stored (non-statutory – software per se),

secondly, it is never executed (non-statutory – functional descriptive material which

is *not* positively recited to exercise the steps of the claim), *thirdly*, mixing statutory

categories as stated above and *lastly*, the computer to store the machine readable

file does not have support as shown in claim 1 rejection above. Hence the rejection

is respectfully maintained.

Regarding Claims 18-24

Examiner *withdraws* the rejection in view of amendment by the applicant, however

please see rejection under 35 USC 112¶1st emanating from the amendment.

Regarding Claim 25-29

Claim 25 is non-statutory, as it does not disclose "a machine readable electronic file"

to be tangible stored, making it software per se.

Regarding Claims 30-31

Examiner *withdraws* the rejection in view of amendment by the applicant, however

please see rejection under 35 USC 112¶1st emanating from the amendment.

Regarding Claim 3

Examiner withdraws the rejection in view of amendment by the applicant.

Claim Rejections - 35 USC § 112 ¶1st (New)

The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of
> making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the
> art to which it pertains, or with which it is most nearly connected, to make and use the same and shall
> set forth the best mode contemplated by the inventor of carrying out his invention.

10. Claim 1-10 and 12-31 are rejected under 35 U.S.C. 112, first paragraph, as failing to

comply with the written description requirement. The claim(s) contains subject

matter which was not described in the specification in such a way as to reasonably

convey to one skilled in the relevant art that the inventor(s), at the time the

application was filed, had possession of the claimed invention.

Regarding Claim 1-10 and 12 (New)

In response to remedy rejection under 35 USC 101, applicant has amended "a

computer" to provide for support, however the neither the drawings nor the

specification shows a computer system implementing the "A communications

network analysis system comprising a computer". The closest reference is a CAD

Products (software per se) on Pg.3-4.

Regarding Claim 13-17 (updated 11/2/07)

Claim 13 and respective dependent claims suffer from the same deficiency as claim

1 and are rejected likewise.

Further, The amended claim also discloses an "electronic file" having "one or more

software application", "a parts list library", "a site specific computerized model" and

"computerized representation for displaying on a computer display of one or more

components" all on "*A machine readable electronic file*". Examiner is unable to

locate part of specification that discloses a single file that embodies "two or more" of

the disclosed software application and the other component claimed. Applicant is

respectfully requested to point out this embodiment in specification.

Regarding Claim 18-24 (updated 11/2/07)

Claim 18 and respective dependent claims suffer from the same deficiency as claim

1 and are rejected likewise.

Regarding Claim 25-29 (updated 11/2/07)

Claim 29 and respective dependent claims suffer from the same deficiency as claim

1 and are rejected likewise.

Regarding Claims 30-31 (New)

In response to remedy rejection under 35 USC 101, applicant have amended "*a*

computer having means for", however specification does not disclose a computer

system that embodies the software applications stored therein and executed. Further

"means for" implies the specific hardware which is neither present in the drawings

nor in the specification.

Claim Rejections - 35 USC § 112¶2nd and Response to Applicant's Remarks

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

11. Claims 1-55 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter

which applicant regards as the invention.

Regarding Claim 1

Claim 1 discloses incomplete limitations [crossed out] and is rejected as being

indefinite:

> "e) visualizing within said site-specific computerized model of said physical environment a
> configuration of said communications network having said one or more components which are ~~or
> will be used in said communication network~~, and

Regarding Claim 1-55 (updated 11/2/07)

In response, applicant has deleted "may be" and examiner withdraws the rejection.

Regarding Claim 13 (updated 11/2/07)

Amended claim 13 discloses:

> one or more software applications which use a site-specific computerized model of one or more
> physical environments, said one or more software applications providing at least one of:

MPEP 2106 states:

> The subject matter of a properly construed claim is defined by the terms that limit its scope. It is
> this subject matter that must be examined. As a general matter, the grammar and intended
> meaning of terms used in a claim will dictate whether the language limits the claim scope.
> Language that suggests or makes optional but does not require steps to be performed or does
> not limit a claim to a particular structure does not limit the scope of a claim or claim limitation. The
> following are examples of language that may raise a question as to the limiting effect of the
> language in a claim:
> (A) *statements of intended use or field of use*,

Further the claim limitations state the following:

> "said electronic file comprising:
> a site-specific computerized model of one or more physical environments in which a
> communications network is deployed; and

It is unclear if the communication network is a limitation that must be present in the site specific computerized model of a physical environment and what effect does the presence of communication network has on the site specific computerized model stored on the file.

Other claims may also have similar problems with unclear language and examiner has merely stated above issues as exemplary deficiencies with the claim language. Claims 14-17 do not cure the deficiency of claim 13 and are rejected for the same reasons as claim 13.

Regarding Claim 18 (updated 11/2/07)

Amended claim 18 now discloses "a computer having a machine readable parts list library". It is not clear why it is "machine readable" and not "computer readable". Further, Claim 18 recites the limitation "the machine readable parts list". There is insufficient antecedent basis for this limitation in the claim because the preceding section discloses "a machine readable parts list *library*". Although this is not a severe problem, it makes unclear if there is a distinction between "a machine readable parts list library" and 'the machine-readable parts list". Further the claim uses "*said parts list library*" which also raises question of maintaining proper antecedent basis. Claims 19-24 do not cure the deficiency of claim 18 and are rejected for the same reasons as claim 18.

Regarding Claim 25 (updated 11/2/07)

Claim 25 discloses a single claim which claims both an apparatus (a machine readable electronic file) and the method steps of using the apparatus (a machine readable electronic file) is indefinite under 35 U.S.C. 112, second paragraph. See MPEP 2173.05 (p) Section II.
There is no correlation (when and where) provided between the machine-readable electronic file and the software application, which is using the machine-readable electronic file. Further the

claim discloses a model and parts list library. It is unclear if any of them are part of the machine-readable electronic file.

Further, Attempts to claim a process without setting forth any steps involved in the process generally raises an issue of indefiniteness under 35 U.S.C. 112, second paragraph. Here the method steps disclose using the machine-readable electronic file, however none of the steps disclose any active, positive steps delimiting how this use is actually practiced. See MPEP 2173.05 (q)

Claims 26-29 do not cure the deficiency of claim 25 and are rejected for the same reasons as claim 25.

In response applicant has amended, "within the computer". The claim as presented does not include any limitation as explained below. The claim is directed towards "A machine readable electronic file *for use in one or more software application...*" is intended use (See MPEP 2106). Following the underlined section is details of the software application and not the claimed "A machine readable electronic file". The amended limitation "within the computer" also seems to be directed towards the software applications. Hence the deficiency in the claim is not cured and the scope of the claim remains indefinite as it does not disclose any limitations.

Claims 26-29 do not cure the deficiency of claim 25and are rejected for the same reasons as claim 25.

Regarding Claim 49

Examiner withdraws the rejection for this claim.

Regarding Claim 55

Claim 55 discloses incomplete limitations [crossed out] and is rejected as being indefinite:

55. (currently amended) The method of claim 49 wherein said parts list library is stored on an electronic file which is transferable between one or more computers or one or more software applications, and further comprising the step of transferring all or a portion of said electronic file between one or more computers or one or more software applications.
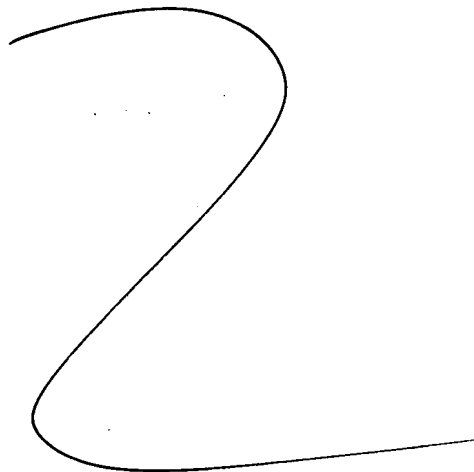
Regarding Claim 3

Examiner had rejected claim 3 as reciting the limitation "said information" having

insufficient antecedent basis. Examiner withdraws this rejection in view of the

amendment to the claim.

Response to Argument for Claim Rejections - 35 USC § 102

12. Examiner withdraws the rejection made with US Patent 7096173 in view of the

terminal disclaimer filed by the applicant.

13. Examiner also withdraws the rejection made for claim 3 with US Patent 5513323 in

view of the amendment.

Response to Argument for Claim Rejections - 35 USC § 103

14. Examiner has addressed the amended limitations as presented in the rejection

below. In response to applicant's arguments against (specifically Hansen) the

references individually, one cannot show nonobviousness by attacking references

individually where the rejections are based on combinations of references. See *In re*

Keller, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800

F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

1.   Determining the scope and contents of the prior art.
2.   Ascertaining the differences between the prior art and the claims at issue.
3.   Resolving the level of ordinary skill in the pertinent art.
4.   Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the

claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the

various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the

obligation under 37 CFR 1.56 to point out the inventor and invention dates of each

claim that was not commonly owned at the time a later invention was made in order

for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35

U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

15. Claims 1-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over by IEE Article "WISE Design of Indoor Wireless Systems" by S.F. Fortune et al (Fortune hereafter), in view of article "Rendering Tcl/TK windows as HTML" by Wilfred J. Hansen (Hansen hereafter).

Regarding Claim 1 (Updated 11/2/07)

Fortune teaches a software application (Fortune: Pg. 58 ¶2 "WISE") which provide or use a site-specific computerized model of one or more physical environments (Fortune: Pg.61 section "Acquiring database for buildings"), said software application executing at least two of (Fortune: See Pg. 60):

Fortune teaches step a) of modeling electrical performance of a communications network or one or more components which are or may be used in a communications network (Fortune: Pg. 67 Fig.7) and a parts list library forming part of software application comprising information pertaining to a plurality of components which are or may be used in said communications network and at least some of said information including frequency characteristics of particular components of said plurality of components and at least some of said plurality of components being wireless communication components (Fortune: Pg. 65 Section :"User Interface" showing plurality of base stations being placed into the site specific model; Fig.7 and associated text on Pg. 65 shows the modeling various parameters including frequency parameters for the network component – i.e. base station transmitter).

Fortune teaches step d) of providing analysis, measurement (Fortune: Pg.63

Optimization), or simulation (Fortune: Pg.66 Fig.5 and 6) of said communications

network having said one or more components (Fortune: Pg. 67 Fig.7).

Fortune teaches that implementation language for the design comprises Tcl/Tk.

   Fortune also teaches parts list which is displayed on the computer display

(Fortune: Fig.7).

   Fortune does not explicitly teach that pluralities of components are each

represented by a standard mark up language in said parts list library.

   Hansen teaches converting Tcl/Tk into HTML (hypertext markup language).

   It would have been obvious to one (e.g. a designer) of ordinary skill in the art at

the time the invention was made to apply the teachings of <u>Hansen to Fortune</u> to

have the *application web enabled and portable*. The motivation to combine would

have been that browser enabled application *can be remotely executed* besides the

numerous advantages present with markup language (Hansen: *Pg.1-2 Introduction*).

<u>Regarding Claim 2</u>

Fortune does not teach using XML, mostly used to share data. Fortune in turn uses

Tcl/Tk for the purpose of data sharing and graphical user interface (GUI) generation.

Hansen teaches making Tcl/Tk GUI available in HTML, which like XML achieves the

similar equivalent functionality and more without rewriting the code in browser

usable language using XML.

Regarding Claim 3

Fortune teaches said information includes orientation data (Fortune: Pg. 61 Col.2

¶3- Wall co-ordinate data), measured data (Fortune: Fig.1 measured signal

strength), cost data (Fortune: Col.59 Col.1 Cost considerations).

Regarding Claim 4-6

Fortune teaches the interaction of two or more components from the parts list as

strongest base transmitter determination, interaction between the receiver and

transmitter (Fortune: Pg. 66 Col.1; Pg.60 Col.1 base station optimization –

transmitter and receiver characteristics; electromechanical properties – Pg. 67 Fig 7

– antenna types).

Regarding Claim 7

Fortune teaches editing capability of the component parameters (Fortune: Fig.7).

Regarding Claim 8-9

Fortune teaches base station optimization being a component of the application

(Fortune: Pg.67 Col.1 Last paragraph) and a separate application (Fortune Pg.60,

Pg.64 Col.2 Last few lines).

Regarding Claim 10

Fortune does not teach library being accessible from remote location. Hansen

teaches that remote accessibility of Tcl/Tk is one of the important reasons for the

markup language and Tcl/Tk interface (Hansen: Pg. Introduction).

Regarding Claim 11

Fortune discloses a computer application being executed, where the model and programmable components are stored (Fortune: Pg. 61 Col.2 saving the model to raster file; Pg.65 saving the simulation results – "save power and rays"; Fig,7 saving the part information selection).

Regarding Claim 12

Fortune teaches parts library list having antenna radiation pattern (Fortune: Fig.7 – various types of antennas – hw-dipole, qw-dipole etc.).

Regarding Claim 13 (Updated 11/2/07)

Claim 13 discloses similar limitations as claim 1 and is rejected for the same reasons as claim 1. Fortune teaches a electronic file (Fortune: at least in Pg. 61 Section: "Acquiring databases for buildings") having site specific computerized model of a physical environment and having computerized representation of one or more components obtained from the parts list (Fortune: Fig.5-7 and associated text). *Fortune also teaches step d) of providing analysis, measurement (Fortune: Pg.63 Optimization), or simulation (Fortune: Pg.66 Fig.5 and 6) of said communications network having said one or more components (Fortune: Pg. 67 Fig.7).*

Regarding Claim 14

Claim 14 discloses similar limitations as claim 2 and is rejected for the same reasons as claim 2.

Regarding Claim 15

Claim 15 disclose similar limitations as claim 12 and are rejected for the same

reasons as claim 12.

Regarding Claim 16

Fortune teaches said information includes orientation data (Fortune: Pg. 61 Col.2

¶3- Wall co-ordinate data), measured data (Fortune: Fig.1 measured signal

strength).

Regarding Claim 17

Claim 17 discloses similar limitations as claim 6 and is rejected for the same reasons

as claim 6.

Regarding Claim 18 (Updated 11/2/07)

Claim 18 discloses similar limitations as claim 1 and is rejected for the same reasons

as claim 1. Further, ***Fortune** also teaches step d) of providing analysis,*

measurement (Fortune: Pg.63 Optimization), or simulation (Fortune: Pg.66 Fig.5 and

6) of said communications network having said one or more components (Fortune:

Pg. 67 Fig.7).

Regarding Claim 19

Claim 19 discloses similar limitations as claim 10 and is rejected for the same

reasons as claim 10.

Regarding Claim 20

Claim 20 discloses similar limitations as claim 2 and is rejected for the same reasons

as claim 2.

Regarding Claim 21

Claim 21 discloses similar limitations as claim 16 and is rejected for the same

reasons as claim 16.

Regarding Claim 22

Claim 22 discloses similar limitations as claim 6 and is rejected for the same reasons

as claim 6.

Regarding Claim 23

Claim 23 discloses similar limitations as claim 12 and is rejected for the same

reasons as claim 12.

Regarding Claim 24

Fortune shows the model information being saved in the electronic file and the files

being transferable between computers is well known in the art.

Regarding Claim 25 (Updated 11/2/07)

Claim 25 discloses similar limitations as claim 1 and is rejected for the same reasons

as claim 1.

Regarding Claim 26

Claim 26 discloses similar limitations as claim 2 and is rejected for the same reasons

as claim 2.

Regarding Claim 27

Claim 27 discloses similar limitations as claim 12 and is rejected for the same

reasons as claim 12.

<u>Regarding Claim 28</u>

Claim 28 discloses similar limitations as claim 16 and is rejected for the same

reasons as claim 16.

<u>Regarding Claim 29</u>

Claim 29 discloses similar limitations as claim 6 and is rejected for the same reasons

as claim 6.

<u>Regarding Claim 30-31 (Updated 11/2/07)</u>

Claims 30–31 disclose similar limitations as claim 1 and are rejected for the same

reasons as claim 1.

<u>Regarding Claim 32 (Updated 11/2/07)</u>

Fortune teaches a method for performing communications network analysis

(Fortune: Pg.58¶2) using a site-specific computerized model of one or more physical

environments (Fortune: Pg.61 section "Acquiring database for buildings") said

software application performing <u>one or more of</u> a) modeling electrical performance of

a communications network or one or more components which are or may be used in

a communications network (Fortune: Pg. 67 Fig.7) and a parts list library forming

part of software application comprising information pertaining to a plurality of

components which are or may be used in said communications network and at least

some of said information including frequency characteristics of particular

components of said plurality of components and at least some of said plurality of

components being wireless communication components (Fortune: Pg. 65 Section

:"User Interface" showing plurality of base stations being placed into the site specific

model; Fig.7 and associated text on Pg. 65 shows the modeling various parameters including frequency parameters for the network component – i.e. base station transmitter).

Fortune teaches that implementation language for the design comprises Tcl/Tk.

Fortune also teaches step d) of providing analysis, measurement (Fortune: Pg.63 Optimization), or simulation (Fortune: Pg.66 Fig.5 and 6) of said communications network having said one or more components (Fortune: Pg. 67 Fig.7).

Fortune does not explicitly teach plurality of components are each represented by a standard mark up language in said parts list library.

Hansen teaches converting Tcl/Tk into HTML (hypertext markup language).

It would have been obvious to one (e.g. a designer) of ordinary skill in the art at the time the invention was made to apply the teachings of Hansen to Fortune to have the *application web enabled and portable*. The motivation to combine would have been *that browser enabled application can be remotely executed* besides the numerous advantages present with markup language (Hansen: Pg.1-2 Introduction).

Regarding Claim 33

Claim 33 discloses similar limitations as claim 2 and is rejected for the same reasons as claim 2.

Regarding Claim 34

Claim 34 discloses similar limitations as claim 16 and is rejected for the same reasons as claim 16.

Regarding Claim 35

Claim 35 discloses similar limitations as claim 6 and is rejected for the same reasons
as claim 6.

Regarding Claim 36-37

Claims 36-37 disclose similar limitations as claims 5-6 and are rejected for the same
reasons as claim 5-6.

Regarding Claim 38

Claim 38 discloses similar limitations as claim 7 and is rejected for the same reasons
as claim 7.

Regarding Claim 39

Claim 39 discloses similar limitations as claim 9 and is rejected for the same reasons
as claim 9.

Regarding Claim 40

Claim 40 discloses similar limitations as claim 10 and is rejected for the same
reasons as claim 10.

Regarding Claim 41

Claim 41 discloses similar limitations as claim 11 and is rejected for the same
reasons as claim 11.

Regarding Claim 42

Claim 42 discloses similar limitations as claim 12 and is rejected for the same
reasons as claim 12.

Regarding Claim 43

Claim 43 discloses similar limitations as claim 25 and is rejected for the same reasons as claim 25.

Regarding Claim 44

Claim 44 discloses similar limitations as claim 26 and is rejected for the same reasons as claim 26.

Regarding Claim 46

Claim 46 discloses similar limitations as claim 24 and is rejected for the same reasons as claim 24.

Regarding Claim 47

Claim 47 discloses similar limitations as claim 11 and is rejected for the same reasons as claim 11.

Regarding Claim 48

Claim 48 discloses similar limitations as claim 11 and is rejected for the same reasons as claim 24.

Regarding Claim 49 (Updated 11/2/07)

Claim 49 discloses similar limitations as claim 32 and is rejected for the same reasons as claim 32.

Regarding Claim 50

Claim 50 discloses similar limitations as claim 10 and is rejected for the same reasons as claim 10.
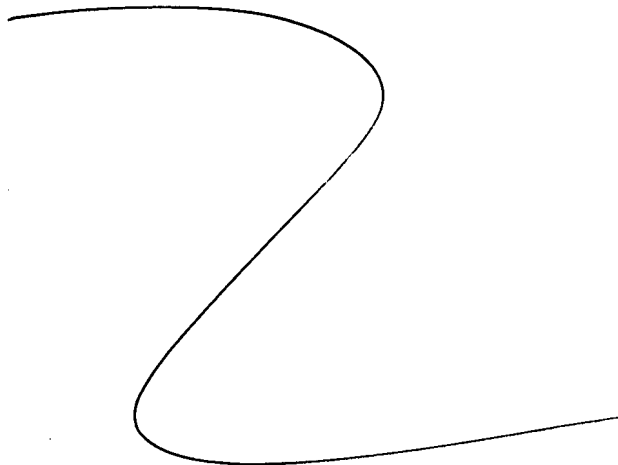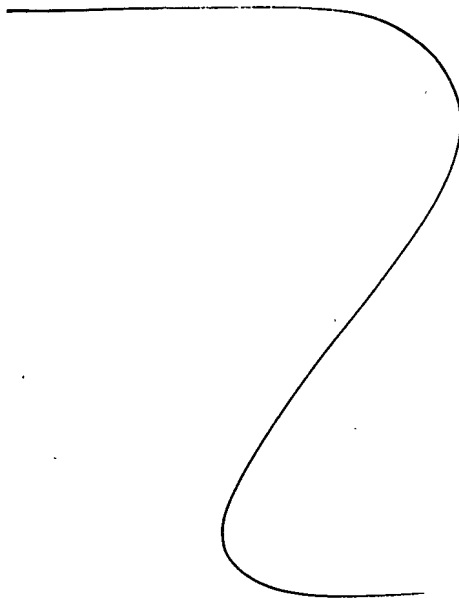
Regarding Claim 51

Claim 51 discloses similar limitations as claim 2 and is rejected for the same reasons as claim 2.

Regarding Claim 52

Claim 52 discloses similar limitations as claim 16 and is rejected for the same reasons as claim 16.

Regarding Claim 53

Claim 53 discloses similar limitations as claim 6 and is rejected for the same reasons as claim 6.

Regarding Claim 54

Claim 54 discloses similar limitations as claim 12 and is rejected for the same reasons as claim 12.

Regarding Claim 55

Claim 55 discloses similar limitations as claim 32 and is rejected for the same reasons as claim 32.

Conclusion

16. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and

any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing

date of the advisory action. In no event, however, will the statutory period for reply

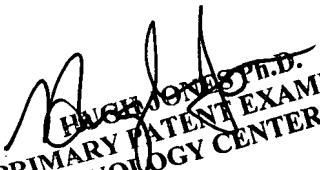expire later than SIX MONTHS from the mailing date of this final action.

Communication

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Akash Saxena whose telephone number is (571) 272-8351. The examiner can normally be reached on 9:30 - 6:00 PM M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamini S. Shah can be reached on (571)272-2279. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Akash Saxena/

PRIMARY PATENT EXAMINER
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